



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 25-034

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

2. Form, Style and Placement in Administrative Code

a. In SECTION 2 of the proposed rule, it appears that the department’s treatment of s. ATCP 92.01 (10h) anticipates the treatments of that provision by Clearinghouse Rule 23-057, which is scheduled to take effect on July 1, 2025. Because Clearinghouse Rule 23-057 is not yet in effect, the treatment clause should be amended to clarify that SECTION 2 amends s. ATCP 92.01 (10h), as affected by Clearinghouse Rule 23-057.

b. The reference to amending s. ATCP 92.01 (10h) (Note) should be removed from SECTION 2’s treatment clause and the introductory clause, as the rule text does not amend that provision.

4. Adequacy of References to Related Statutes, Rules and Forms

a. Under the heading “statutes interpreted”, the department lists “ch. 98”. The department should list the specific statutes within that chapter that this rulemaking interprets.

b. Among the statutes the department lists under the heading “statutory authority” are “s. 98.01 (7), Stats., defining weights and measures, and s. 98.04, Stats., requiring certain municipalities to establish a municipal department of weights and measures. Would these statutes fit more naturally under the “related statutes and rules” heading?

5. Clarity, Grammar, Punctuation and Use of Plain Language

The proposed rule creates a definition of “Electric Vehicle Supply Equipment” or “EVSE”, but it does not appear that either of these terms are otherwise used in the current or proposed rule. Is this definition needed to understand a substantive provision of the rule?